IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.540 OF 2004

In

APPEAL NO.137 OF 2004

In

CHAMBER SUMMONS NO.1479 OF 2002

In

SUIT NO.1538 OF 1983

Omprakash Navani & Anr. : Appellants

(Orig. Plaintiffs)

V/s.

Herbert Joseph Pereira & Ors. : Respondents

(Orig.Defendants)

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Mr.J.J.Bhat, senior counsel, with Ms Armin Wandrewala i/b. Mr.Akshay Vani for the appellants.

Mr.P.K.Samdani, senior counsel, with Mr.Vishal Shriyan i/b. M/s.Udwadia Udeshi & Berjis for respondent Nos.1B & 3 to 5.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : SEPTEMBER 11, 2006.

P.C.

1. Heard the senior counsel for the parties.

2. Ad-interim order dated 23.2.2004 directing the parties to maintain status quo and restraining them from creating any third party right or interest in the subject property is confirmed till the disposal of the appeal.

3. We record and accept the statement of Mr.J.J.Bhat, senior counsel for the appellants that the appellants have paid the property taxes and lease rent to the concerned authorities up-to-date and that the appellants shall continue to pay property taxes and lease rent every year as and when they become due.

4. Notice of Motion stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.